IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 6874 of 2005

Between:

1. A.P.Genco Transco & Discoms Worker's Union

(Reg.No.H-43), H.Q.No.19-5-32/13/A/19,

Kishan Bagh, Hyderabad-64, rep.by its President

J.Sreedhar Babu, S/o.J.Yadgir Rao,

Aged 33 years, R/o.Hyderabad

2. M.Chandra Sekhar, S/o. M.Marri Swamy,

aged about 34 yeas, working as Driver (Contract Labour)

in the O/o.Execute Engineer (O & M),

Penna Ahobhilam Balancing Reservoir Hydro

Electric Scheme Division, A.P.Genco Ltd. Anantapur

..... PETITIONERS

AND

Managing Director,

A.P.Power Generation Corporation Ltd.,

Vidyut Soudha, Hyderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the respondent in not considering and disposing of the 2nd petitioner's

representation dated 18.10.2004 as arbitrary, illegal and violative of Article 14, 16 & 21 of the Constitution of India and consequently direct the respondent to consider and dispose of the 2nd petitioner's representation dated 18.10.2004 for appointing the 2nd petitioner as driver or against any other suitable post in the existing vacancies in the office of the Executive Engineer (O & M), Penna Ahobhilam Hydro Eklectric Scheme, Division, Ananthapur, A.P.Genco Ltd., and pass such other orders.

Counsel for the Petitioners: MR.ANDE RAVIKUMAR

Counsel for the Respondent: MS E.URMILA

The Court at the admission stage made the following:

ORDER:

Declaring the action of the respondent in not considering and disposing of the 2nd petitioner's representation dated 18.10.2004 as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioners and the learned standing Counsel for the respondent.

Appropriate decision has to be taken by the respondent on the representation of the 2nd petitioner dated 18.10.2004 in accordance with law. The learned Counsel for the respondent contended that no such representation is pending with the respondent.

In the circumstances of the case, without entering into the merits of the case, the respondent is directed to take appropriate decision on the representation of the 2nd petitioner dated 18.10.2004, if it is pending with him. If no such representation is pending, the 2nd petitioner is at liberty to make a fresh representation, and on filing such representation, the respondent shall consider and take appropriate decision thereon.

With the above observations, the Writ Petition is disposed of. No order as to costs.

Dated: 31.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Managing Director,

A.P.Power Generation Corporation Ltd.,

Vidyut Soudha, Hyderabad

2. Two CD copies